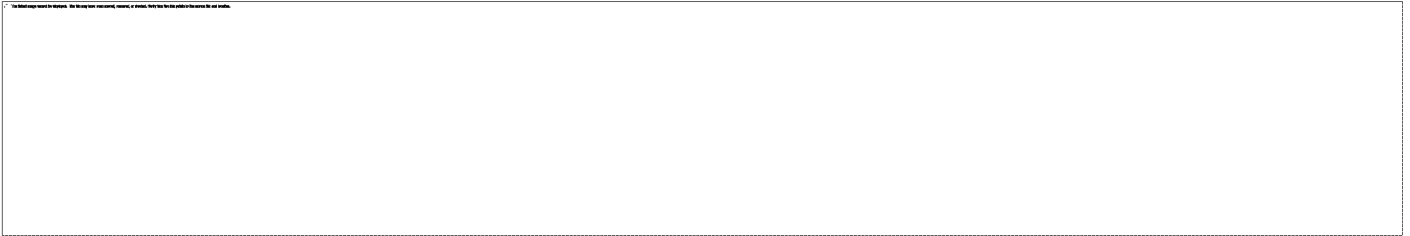


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Subject: EPA Administrator Wheeler Delivers Remarks at AEI



EPA Administrator Wheeler Delivers Remarks at AEI

WASHINGTON (September 21, 2020) — Today, the U.S. Environmental Protection Agency (EPA) Administrator Andrew Wheeler delivered remarks at the American Enterprise Institute (AEI) where he discussed environmental achievements over the past four years. Below are his remarks as prepared for delivery:

“Thank you, Adam, for that great introduction.

Earlier this month, I provided reflections on the last 50 years of the Environmental Protection Agency and laid out our plan for its future at the Nixon Library.

Today, I would like to explain, based on what we have accomplished over the past four years, how we are going to get to this future.

It is incontrovertible that today the environment is in better shape under President Trump than we found it.

Since 2017, air pollution in this country has fallen 7 percent.

Last year, EPA delisted 27 Superfund sites, the most in a single year since 2001, and we will delist 27 more sites this year.

EPA has helped finance more than \$40 billion dollars in clean water infrastructure, supporting 7,100 high priority projects and 27,000 jobs during President Trump’s first term.

And there has been a 48 percent increase between 2017 and 2019 in the number of new criminal cases on potential environmental crimes opened by EPA.

These successes are a big deal, and great news in terms of America’s health and wellbeing, but like most great news, you rarely read about it in newspapers or watch it on news channels.

In fact, the news media purposely underreports any good news from this Administration.

Just last week we announced the second largest civil action under the Clean Air Act.

This means the Trump Administration has now collected more in civil and criminal penalties than the Obama Administration did in its first term, but no press outlets reported this fact, because it doesn’t fit the press narrative.

A big deal was made when President Trump left the Paris Climate Accords, which would have treated the U.S. economy unfairly.

Yet, the U.S. has seen a 15 percent reduction in energy-related carbon dioxide emissions since 2005.

During this time, the U.S. cut its greenhouse gas emissions, measured in tons, more than Britain, France, Germany, Italy and Canada combined.

China, meanwhile, has increased their emissions by over 50 percent since 2005.

Just at EPA, the Trump Administration in its first term has taken four concrete actions to reduce greenhouse gases.

- The Affordable Clean Energy (ACE) rule, which will cut overall carbon emissions from the U.S. power sector by 34 percent from 2005 levels by 2030.
- The SAFE vehicles rule will reduce emissions compared to the previous administration's standards, which allowed companies to "comply" through purchasing credits related to actions that didn't really impact emissions.
- A rule to reduce emissions from new aircraft that represents the first time the U.S. has ever adopted emission standards for aviation.
- And new rules making it easier and less expensive for natural gas companies to capture fugitive methane emissions from natural gas infrastructure.

As John Adams once said, "Facts are stubborn things; and whatever may be our wishes, our inclinations, or the dictates of our passion, they cannot alter the state of facts and evidence."

It's unfortunate, but there is a lot of evidence that during the previous administration – especially in its second term – an overweening focus on climate change took the form of virtue-signaling in foreign capitals.

This behavior came at the expense of running the agency and ensuring a better environment for all Americans.

Aside from their attempt at the Waters of the United States rule, they almost solely focused on climate change at the expense of other environmental indicators.

Let me explain.

We have done more in the first 4 years of the Trump Administration to improve the environment than probably any administration except perhaps during the very first years of EPA.

And I would argue the Trump Administration has epitomized and carried out, more than any other administration, the core mission of the EPA, which is to protect human health and the environment.

We will have finalized at least 8 major rulemakings before the end of our first term.

1. the Navigable Waters Rule
2. the Affordable Clean Energy Rule
3. the SAFE Rule
4. the first 10 TSCA assessments
5. the CCR and ELG rules
6. the Lead and Copper rule
7. Ozone NAAQS
8. and PM NAAQS

All of these regulations will improve the environment.

At the same time, we inherited the largest backlog of unfinished agency business in our history.

During the final four years of the Obama Administration, an enormous backlog of unprocessed permits of all kinds was built up.

So, what are these examples or evidence of backlogs you talk about?

Well, let me show you.

For example:

At the beginning of this administration, we inherited a backlog of 700 State Implementation Plans, also known as SIPs. We've taken action on over 500 of these submittals.

States and cities need SIPs approved so they can focus on cleaning up their environment.

When SIPs languish at EPA for approval, environmental work may not be getting done, and approval of SIPs can help reduce air pollution.

When cities and counties fall out of attainment, companies shut or move their factories other places rather than wait for air quality levels to improve.

One of the main causes of urban decline in places like Detroit, Chicago and Cleveland in the 1970s, 80s and 90s was the inability of businesses to get new permits.

Kenosha, Wisconsin, which has been a site of unrest this summer, had been in non-attainment of several ozone standards continuously since 1992 – much to the detriment of the local job market, although it did regain attainment for the 2008 NAAQS ozone standard in April of this year.

This backlog of SIPs at the agency has been one of the invisible but real causes of environmental injustice in this country over the past several decades.

Any location that was out of air attainment could not make it back into attainment unless SIPs were first processed and then a plan carried out.

Many of these backlogged plans sat for years, in limbo, neither approved nor rejected for a variety of reasons -- including because they are deficient and could not be approved.

But instead of approving these plans or disapproving them and developing new ones, prior administrations just left them to sit, sometimes for decades.

We discovered applications that were filed in the 1990s and unprocessed – in places like the San Joaquin Valley in California, and in Arizona.

In 2018 we approved a SIP that was filed by Wyoming in 1987, and we discovered an unprocessed SIP for Nevada from October 1975, 45 years ago.

It's our ambition to substantially reduce this backlog in the second term.

Concerning water pollution, the backlog of National Pollutant Discharge Elimination System (NPDES) permits, which regulates point sources of pollution in U.S. waters, has been reduced 32 percent from 2017.

Regarding Superfund cleanups, we see a similar story, and it's worth remembering that over 1,300 Superfund sites around this country are listed on the Superfund National Priorities List, or NPL.

Too many Americans have lived near Superfund sites for too long.

Thankfully, cleaning up these sites has been a major focus of the Trump Administration.

In President Trump's first three years in office, we completed full or partial deletion of 55 sites from the NPL, including 27 last year, the most in a year since 2001.

Of the 27 site deletions last year, 14 sites had been on the NPL since the 1980s. Seven sites had been on the NPL since the 1990s.

We have maintained last year's accelerated pace and will have completed the deletion process for another 27 full or partial sites by the end of this fiscal year.

This will bring the total number of full and partial deletions in President Trump's first term to at least 82 sites. This is equal to the 8-year total of the prior administration.

So, it's worth repeating. The Trump Administration, in its first four years, has matched the amount of Superfund sites delisted by the Obama Administration in its eight years in office.

And many of the sites delisted this year had been on the NPL for more than 30 years.

It is clear that many of these sites sat on the National Priorities List for decades, with previous administrations not viewing their completion as a priority.

A full or partial deletion of a site tells local communities and the broader public that important work has been done and the site, if appropriate, is eligible for Brownfield funding and can be freed of the stigma of being a Superfund site.

And when you reflect on how many of the most polluted and hazardous sites EPA has responsibility for are in some of the most disadvantaged communities in this country, you start to realize how important a mission EPA has been given by Congress.

When we clean up polluted sites quickly and return them to the surrounding communities for an improved use, EPA is strengthening our country where it needs to be strongest – at our foundation.

There are many other examples of our working down of this backlog.

The PFAS family of chemicals have been around since at least the 1950s and no administration ever took them on.

In 2019 EPA took the historic step of creating a PFAS Action Plan that uses all our program offices to deal with this emerging chemical of concern.

The Action Plan outlines more than 20 key focus areas that include both short and long-term goals, and it is the agency's first multi-program, national research and risk communication plan.

Concerning lead and copper pipes, the Obama Administration claimed to have worked on it for 8 years, with nothing to show. They even had a wake-up call in Flint, Michigan in 2014 but still did nothing.

We will finalize our Lead and Copper rule in the next several weeks which, for the first time ever, will call for the testing of lead in all schools and daycare centers.

We delivered a final rule in April 2019 strengthening Asbestos regulation for the first time in 30 years.

This rule closed a dangerous loophole that could have allowed contaminated floor tiles, building materials, and insulation to return to the U.S. marketplace without EPA review.

We have completely eliminated the backlog of EPA actions on the states' list of impaired waters, marking the first time in a decade that this backlog has been eliminated.

Since January 2017, EPA has approved more than 7,000 TMDLs or Total Maximum Daily Load plans to restore polluted waters – a 25 percent increase from the preceding three and a half years.

The backlog of actions on state priority TMDLs has fallen dramatically from over 100 in 2017 to just a single state priority TMDL in July of this year.

That's more than a 99 percent decrease to the backlog.

And we're doing so while approving a higher percentage of state water quality standards than at any point during the last administration.

Yet, despite our significant efforts to update water standards, some states are actively trying to derail one of the nation's most successful watershed partnerships by bringing a frivolous and divisive lawsuit over the Chesapeake Bay TMDLs.

The historic progress in restoring Chesapeake Bay in the past decade is evidence of how strong partnerships with states can create better environmental outcomes.

So, it's unfortunate that some downstream states choose politics over progress in an election year and sued EPA over a position developed by the Obama Administration a few years ago – a position that I agree with.

On a more positive note, we are supporting American energy by reducing the Underground Injection Control, or UIC Class 2 permit backlog by 70 percent from 2018.

We cut the length of time to process a UIC Class 2 permit to less than 150 days, down from an average of 500 days in 2017.

In January 2017, the backlog of new chemicals under review for greater than 90 days had grown to over 500.

As of today, the number of chemicals EPA has under review for over 90 days is less than 200, a 60 percent decrease, and the agency has completed over 2,900 new chemical submissions since the beginning of the presidential term.

And when it comes to enforcement, we have reversed the decline in the EPA criminal program that began in 2011 by bringing on new agents.

In 2019, the number of new criminal case openings increased for the first time since 2013.

And as I said before, the Trump Administration has collected more in civil penalties for violations of environmental laws than EPA collected in the first four years of the previous administration.

And this is true even without counting last week's \$875 million dollar Daimler/Mercedes penalty, or the 2017 Volkswagen settlement.

EPA criminal investigators have opened cases resulting in more criminal fines and restitution since 2017 than the first four years of the previous administration.

And it turns out delivering for American communities also means there are things we are not doing.

We are not weaponizing enforcement or using it for social engineering.

We are simply using our enforcement and compliance tools to solve environmental problems like non-attainment, protect drinking water, reduce lead exposure, and revitalize communities.

And these accomplishments could not have happened without the hard work of our career employees.

By implementing the Lean Management system across the agency in 2017, we freed up many of the bureaucratic obstacles that have plagued this agency for so long.

For the first time in decades, our employees are able to focus on doing their jobs.

Now, this is a lot of information and detail, but its only by being honest about the past that we can ensure for a better future for the communities in this country that have been left behind.

Because it goes without saying that America is a nation made up of communities, and communities are the foundation of our nation, not the other way around.

This is an issue at the core of our country's fight for environmental justice.

Environmental Justice

After my speech at the Nixon Library, I was criticized by some in the press on our Environmental Justice record.

The Trump Administration has done more to elevate Environmental Justice than any President since George H.W. Bush created the program.

First, we elevated Environmental Justice out of the Enforcement Office, and into the Administrator's office.

Being stuck in Enforcement relegated Environmental Justice to be considered after the fact, instead of at the beginning of our policies and rulemakings.

Second, the Opportunity Zone Tax Credits created by the Trump Tax Reform of 2017 has done more to help Environmental Justice communities with their environmental problems than all the EJ grants of the past many years.

Third, America's Water Infrastructure Act, which was signed into law by President Trump in 2018, codified the Office of Environmental Justice within EPA for the first time.

We are incorporating Environmental Justice through our program offices and improving EJ communities at a pace not seen before.

Regarding Superfund sites:

- In North Birmingham, Alabama, the community that is the site of the infamous bombing in 1963 that killed four girls attending the 16th Street Baptist Church, we've cleaned-up 480 properties and removed more than 60,000 tons of soil contaminated with lead, arsenic and other heavy metals.
- At the USS Lead Site in East Chicago, Indiana, we're cleaning up 671 residential properties – and removed contaminated soil from about 95 percent of the Calumet neighborhood, allowing the city to redevelop vacant lots.
- At the Southside Chattanooga Lead Site in Chattanooga, Tennessee, we've cleaned up lead contamination in eight historically black, low-income residential neighborhoods, parks, schools, playgrounds, and daycares and added the site to the National Priorities List.
- In Pueblo, Colorado's low-income Bessemer neighborhood, EPA accelerated the clean-up of 1,900 residential and commercial properties polluted with lead and arsenic by a smelter which closed almost a century ago. The decision accelerated the clean-up's completion by about seven years.
- And in Atlanta, Georgia, in only two short years since a doctoral student raised awareness of lead levels in the city's Westside neighborhoods, EPA has already removed contaminated soil from over 140 properties.
- When I visited the site last year, I got to see firsthand the work EPA was doing to get sampling and clean-up underway to protect the health and safety of those living in the English Avenue and Vine City communities, which are among the city's poorest.

Regarding water:

- Our Region 2 office worked to help over 200 of the poorest communities in Puerto Rico recover from the devastating hurricanes of 2017. By partnering with NGOs, we helped provide solar panels and battery storage for water systems, allowing them to continue to provide water during power outages.
- And with the Lead and Copper rule, we focused our attention on ways to ensure the worst contaminated pipes aren't the last miles replaced in the next 30 years.

Regarding air quality:

- As we've seen, moving locations from non-attainment to attainment status predominately helps inner cities, which is why it is so frustrating to see communities not getting the help they need from federal agencies to get back into attainment.
- Since 2017 we've taken action on over 1,200 SIPs, both new and backlogged. EPA has redesignated 54 non-attainment areas to attainment during this time and we believe another 25 areas can be redesignated by 2022.
- Areas that have regained air attainment include Indianapolis, which reentered attainment for sulfur dioxide in May of this year, Chicago and Tampa regained attainment for lead in 2018, and St. Louis and Cleveland for particulate matter in 2019.

- Meeting these standards protects people from asthma, heart and lung disease, heart attacks, behavior and learning problems and a whole host of other health issues.

It's my belief that if we want to help communities in the next several decades, we need to recognize when and where we're making mistakes, and not paying attention to the things and the people for whom we have a duty to serve.

It goes without saying that neglect is a form of harm, and it's not fair to act in ways that harm communities, just because they don't have enough political power to stop the neglect.

What we should be striving for at EPA in the coming years is a community-driven environmentalism that promotes community revitalization.

This will do more for environmental justice than all the rhetoric in political campaigns.

And I would say to the Press.

Don't follow a shiny object like climate when more seemingly mundane actions like Superfund clean-ups and Brownfields projects have the ability to benefit far more lives in this country, if proper attention and credit is given to them.

What we have in the United States in terms of the environment is unique, and I want to conserve it for future generations.

But I also want more recognition and attention put toward the areas of the country that are still polluted and still need our help, 50 years after EPA's creation.

Our environment in the United States, taken as a whole, is much cleaner than other great powers, and cleaner than most of the rich industrialized economies around the world.

But we are at an inflection point in the direction we are going as a nation regarding environmental protection.

I have a clear vision for EPA. It involves focusing on communities and citizens here in the United States.

For its 50th Anniversary commemoration this year, EPA has picked a very good slogan: "Progress for a Stronger Future."

Just last week I was in St. Louis, talking with faith leaders and learning about some of the environmental training our Region 7 office is doing with religious organizations in Missouri.

The pandemic has hurt church finances like it has everywhere else and the ability to develop better environmental behaviors, energy saving, and money-saving measures helps churches keep their doors open.

EPA working with faith-based groups is what it means to be strengthening the foundation of our communities.

We are doing it, and it is great to see, and I'm reminded by something Alexis de Tocqueville wrote after visiting America almost two centuries ago.

"The health of a democratic society may be measured by the quality of functions performed by private citizens."

Focusing on communities – the vital work of implementing environmental laws and working with states and local governments to help communities help themselves -- is the best way to improve the quality of the environment, both physical and even spiritual, across our nation.

This will take some time, it is a redirection of not just human resources, but our emotional resources – because in some ways it's heart-breaking to see these communities with environmental pollution continue to suffer, and to feel abandoned, while other places prosper.

But if you want to know the proper role for the administrative state in the 21st Century, this is it.

I believe that by focusing EPA toward communities in the coming years, our agency can change the future for people living in this country who have been left behind simply for living in polluted places.

As I've said several times in the past: "Everybody deserves to have a clean environment, regardless of what zip code they live in."

We will do the work that has been neglected for years, and we will do it with a durability that can withstand the future environmental challenges our nation will face – even those we cannot now imagine or anticipate.

If we can do the work before us – eliminate the agency backlogs that are at the root of so many perverse environmental outcomes in this country – we can protect the places we love and bring back the places that have been hurt by pollution – bring them all the way back – to the places they were before the pollution began.

Thank you again for the invitation to speak with you today."

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